

Planning Commission Date: July 28, 2004

Item No.

## MILPITAS PLANNING COMMISSION AGENDA REPORT

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Category: Public Hearing

Report prepared by: Kim Duncan

Public Hearing: Yes:   X   No:       

Notices Mailed On: 7-16-04

Published On: 7-15-04

Posted On: 7-16-04

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**TITLE:** **USE PERMIT NO. UP2004-8, "S" ZONE APPROVAL  
AMENDMENT NO. SA2004-28 AND ENVIRONMENTAL  
IMPACT ASSESSMENT NO. EA2004-6**

**Proposal:** Request to install a 60-foot tall artificial tree pole with six (6) telecommunication antennas and associated ground mounted equipment.

**Location:** 1525 McCarthy Boulevard (APN: 086-03-079)

**RECOMMENDATION:** **Approve Use Permit No. UP2004-8 and "S" Zone Approval-Amendment SA2004-28 with conditions and adopt the related Negative Declaration (Environmental Impact Assessment No. EA2004-6).**

**Applicant:** Cingular Wireless c/o Leah Hernikl at Ruth and Going, Inc., 2216 The Alameda, Santa Clara, CA 95050

**Property Owner:** Limar Realty Corporation #17, 1730 South El Camino Real, #400, San Mateo, CA 94402

**Previous Action(s):** "S" Zone approval

**Environmental Info:** Negative Declaration

**General Plan Designation:** Highway Service

**Present Zoning:** Light Industrial with "S" zone overlay (M1-S)

**Existing Land Use:** Vacant building

**Agenda Sent To:** Applicant/owner

Attachments: Plans, photosimulations, existing and alternative wireless sites, telecommunications questionnaire, FCC license, power density study, draft Negative Declaration and Initial Study

PJ No. 2367

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## BACKGROUND

On November 19, 1981, the Planning Commission approved an 'S' Zone approval application for the development of a 75,444 square foot light industrial building and freestanding sign located in the Oak Creek Business Park on the west side of McCarthy Boulevard, south of Sycamore Drive. Subsequently, the Redevelopment Agency approved the application on January 5, 1982.

### Site Description

The subject site encompasses 4.20 acres at the southwest corner of McCarthy Boulevard and Sycamore Drive. The site is developed with a vacant 75,444 square foot, 2-story, concrete tilt-up industrial building. The site is bound by McCarthy Boulevard to the east, with Coyote Creek Trail and the eastern portion of San Jose to the west. Surrounding development directly north, northeast, east and southeast of the site is developed as Industrial Park with tenants such as LSI, Linear Technology and Xicor. Directly south of the project site is zoned light industrial and developed with vacant buildings.

## THE APPLICATION

This Use Permit application is submitted pursuant to Sections 57.02-15.1 (Conditional Use Permit for telecommunication antenna facilities) and the "S" Zone approval amendment application is submitted pursuant to Section 42.10-2 (Applications for modifications of or amendment) of the Milpitas Zoning Ordinance.

The applicant proposes to construct a 60-foot tall artificial tree pole to conceal a total of six (6) telecommunication antennas adjacent to an existing trash/recycling enclosure next to the Coyote Creek Trail. The artificial tree pole would be designed as a pine tree and located at the southwest portion of the parcel, in an existing landscaped area among mature evergreen trees. Associated ground mounted equipment would be located in an approximately 200 square foot lease area of the existing 544 square foot recycling/trash enclosure. No air conditioning units, other noise generating equipment, or reduction in parking spaces are proposed with this application.

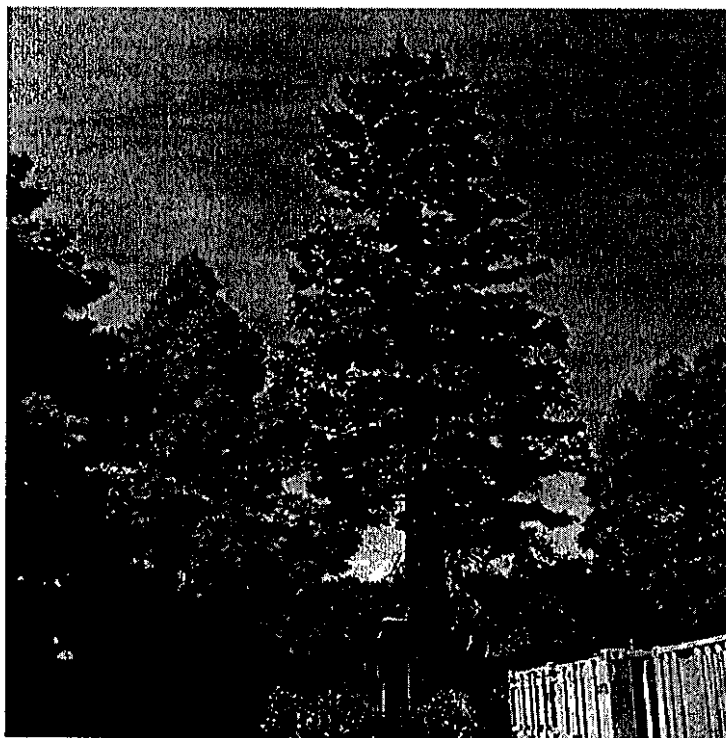
### Conformance with the General Plan

The proposed project complies with the City's General Plan in terms of Policy 2.a-I-7, which provides for facilitating local business communication. The proposed project provides a service that supports surrounding businesses, which can assist in expanding employment, facilitating communications and promoting business retention. In addition to supporting local businesses, the telecommunications facility also supports Milpitas residents and community.

### Conformance with the Zoning Ordinance

The project complies with the City's Zoning Ordinance, which allows for telecommunications facilities as conditional uses in all zoning districts. In addition, the artificial pine tree pole complies with the development standards for the Light Industrial "M1" District, as described below:

"M1" Development Standards	Proposed Project	Complies?
<b>Building height:</b> No limitation provided Planning Commission approval for structures greater than 35 feet	Overall tree pole height is 63'	Yes with PC approval
<b>Front yard setback:</b> None required.	N/A	Yes
<b>Side and rear yards:</b> None required	Side yard: 15 feet; Rear yard: 30 feet.	Yes
<b>Areas for collecting/loading recyclable materials</b>	Trash/recycling enclosure is located near the tree pole.	Yes



*Existing Artificial Tree Pole in Palo Alto (by same manufacturer)*

\*2

The proposed artificial telecommunication tree pole would be approximately 63 feet in height and designed as a pine tree. The tree pole would be located adjacent to an existing 62-foot tall eucalyptus tree, therefore the height of the artificial pine tree would not significantly exceed the height of the existing tree canopy. In addition, the artificial pine tree would be located away from the existing R&D building, therefore would not be detrimental to the light, air or privacy of any other structures located on the project site.

### **Conformance with the "S" Zone Combining District**

The project complies with the "S: Zone Combining District in that the proposed artificial telecommunication tree pole is attractive and harmonious with the existing landscaping. The new artificial tree would be designed as a pine tree and the material and colors would blend in with existing landscaping. In addition, the proposed 63-foot tree pole would be located next to an existing 62 foot tall eucalyptus tree and not significantly exceed the existing tree canopy height.

## **ISSUES**

### **Structure Architecture**

The architecture of the artificial tree pole is proposed to complement that of the existing landscape area of the parking lot and Coyote Creek Trail. The proposed artificial tree would be designed as a pine tree and constructed of steel trunk and branches, as well as fiberglass "foliage". The trunk surface would be molded and colored to resemble brown tree bark and the "needle clusters" would resemble those of a pine tree.

The applicant submitted a material/color board sample to staff for clarification of the proposed materials and colors for this application. Staff had concerns regarding the bright, Christmas-green coloring of the proposed "foliage" blending in with the existing blue-green foliage of the adjacent eucalyptus tree. According to the applicant, the color of the proposed "foliage" will not fade significantly over time, leaving the artificial tree "foliage" color a significant variation than the existing trees. Therefore, *staff recommends* the applicant provide the Planning Division with a color sample of the proposed pine needle "foliage" for staff review to ensure the "foliage" color will blend in with the existing project site landscaping.

### **Landscaping**

Existing tree landscaping on the project site consists of eucalyptus and sycamore trees. The proposed artificial pine tree would be located at the rear of the parking lot in an existing landscaped area next to the Coyote Creek Trail, nestled against an existing, mature eucalyptus tree. The project will require removal of an existing 15-inch (circumference), non-protected eucalyptus tree at the proposed tree pole location. Staff had concerns regarding the placement of an artificial tree designed as a pine tree due to the lack of other pine trees in the area. However,

the proposed tree pole would be located next to a mature 62 foot tall eucalyptus tree, which is evergreen, and will provide year round foliage for the artificial pine tree pole to better blend in with the existing landscaping.

### **Trash/Recycling Enclosure**

The applicant is proposing to house ground mounted equipment in an approximately 200 square foot lease area in the existing 544 square foot trash/recycling enclosure. Staff had concerns regarding partial conversion of an existing trash/recycling enclosure for housing ground mounted telecommunication equipment. BFI review of the proposed project determined there is ample remaining space available to meet the trash/recycling needs of future tenants. However there were concerns regarding the possibility of the rolling trash/recycling bins damaging the proposed equipment. As a condition of approval, *staff recommends* a protection barrier be installed between the proposed equipment area and open trash enclosure area.

### **Community Impact**

The project is not anticipated to create any adverse impacts to surrounding land uses, in terms of traffic, parking, noise, odors or radio frequency emissions. Antenna sites are unmanned, and once installed, only require maintenance and repairs as needed, therefore no impacts on traffic or parking are anticipated. In addition, the antennas do not generate any noise and the associated equipment to be located within the existing trash/recycling enclosure is not anticipated to create any noise impacts. Also, no odors are associated with this type of telecommunications facility.

In terms of radio frequency emissions, the Federal law preserves the City's authority to regulate the placement, construction, and modification of personal wireless service facilities (47 U.S.C. 332((c)(7)(A).) However, federal law does impose a limitation on this authority in the area of radio frequency (RF) emissions. The City is prohibited by federal law from regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of RF emissions to the extent the facilities comply with the Federal Communications Commission's (FCC) regulations concerning such emissions. (47 U.S.C. 332(c)(7)(B)(iv).

The FCC has established guidelines that place limits on human exposure to RF fields generated by personal wireless service facilities. These guidelines have been endorsed by the U.S. Environmental Protection Agency and the Food and Drug Administration. The FCC requires all personal wireless facilities to comply with these guidelines.

The City, however, may still verify that applicants are in compliance with the FCC's guidelines. Therefore, the City requires applicants applying for use approval for any telecommunications device to submit a power density report. This report is reviewed by the City's Telecommunications Advisory Commission to ensure compliance with the FCC's guidelines. To the extent that an applicant's facilities, as proposed, are not in compliance with the FCC's guidelines, the City may require the applicant to make appropriate modifications to the facilities to ensure compliance.

### **Telecommunications Commission Review**

The City's Telecommunications Commission reviewed this antenna project on May 24, 2004, and concluded that the applicants are in compliance with the FCC guidelines. The Commission did, however, recommend the posting of signage at the building's fire control point (fire alarm/utilities shut-off). The Commission's intent is that the signage explain the existence of hidden antennas on this building, so that in the event of an emergency to which the Fire Department responds, Fire personnel will be aware of the antenna site. The intent was also to provide a means by which the Fire Department could obtain a shutdown of the antenna sites in the event of a building emergency. *Staff recommends* Condition of Approval No. 3 to address this issue.

### **ENVIRONMENTAL REVIEW**

An Initial Study and Draft Negative Declaration were prepared for the project. The commenting period began on July 8, 2004 and will close on July 28, 2004. As of this time, staff has not received any comments in regards to the proposed artificial tree pole antenna facility. Should any comments arise between the final draft of this report and the Planning Commission hearing, staff will present all comments at that time. The proposed artificial tree pole antenna facility had the following impact that was considered to be less than significant:

There would be a less than significant impact in regards to aesthetics as a result of the proposed artificial tree pole antenna facility, as there could be a potential for the project to substantially degrade the existing visual character or quality of the site and its surroundings. However, the proposed telecommunication tree pole is designed as a pine tree and located adjacent to mature, evergreen trees within an existing landscape area and will blend in with existing vegetation and not be visually obtrusive from surrounding viewpoints. In addition, the Milpitas General Plan designates the Coyote Creek Trail as a Scenic Resource due to visually significant vegetation along the creek corridor, however the Trail is not designated as a scenic vista. Therefore, the proposed project would have a less than significant impact on aesthetics and not have an adverse impact on existing "visually significant" vegetation or a scenic vista.

### **RECOMMENDATION**

Close the Public Hearing. Approve Use Permit No. UP2004-8 and "S" Zone Approval Amendment SA2004-28 and adopt the related Negative Declaration (Environmental Impact Assessment No. EA2004-6) subject to the Findings and Special Conditions listed below.

### **FINDINGS**

1. The proposed project complies with the City's General Plan in terms of Policy 2.a-I-7. The proposed project provides a service that supports surrounding businesses, which can assist in expanding employment, facilitating communications and promoting business retention. In

addition to supporting local businesses, the telecommunications facility also supports Milpitas residents and community.

2. The proposed project, as conditioned, complies with the City's Zoning Ordinance, which allows for telecommunications facilities as conditional uses in all zoning districts, will not be detrimental to the light, air or privacy of any other structure or use currently existing or anticipated, and is consistent with the Light Industrial "M1" District development standards.
3. The project complies with the "S" Zone Combining District in that the artificial tree pole designed as a pine tree is attractive and harmonious with the surrounding landscape in terms of design, material colors and height, therefore no adverse visual impacts would result from the proposed project.
4. The project is not anticipated to create any adverse impacts to surrounding land uses, in terms of traffic, parking, noise, odors or radio frequency emissions, since the antenna sites are unmanned, do not generate any noise, and associated equipment would be located within the existing trash/recycling enclosure, and no odors are associated with this type of telecommunications facility.
5. The project, as reviewed in the proposed Negative Declaration, will not create any significant environmental impacts as defined by the California Environmental Quality Act.

### **SPECIAL CONDITIONS**

1. This approval is for Use Permit No. UP2004-8 for the installation of six (6) telecommunication antennas and associated ground mounted equipment at 1525 McCarthy Boulevard, as shown on the approved plans dated July 28, 2004. Any modifications to the Use Permit or conditions of approval require Planning Commission approval. (P)
2. The "S" Zone approval-amendment No. SA2004-28 is for an approximately 60-foot tall artificial telecommunications tree pole on the southwest side of the parcel, as depicted on the approved plans dated July 28, 2004. Minor changes to the "S" Zone approval-amendment, as described in Section 42.10-2 of the Zoning Ordinance, may be reviewed by Planning Staff or Planning Commission Subcommittee. (P)
3. Prior to building permit issuance, the project and plans shall conform with the following Fire Department and FCC requirements (P, F):
  - a) The tower access locations and near antennas shall be labeled for the hazard with a sign approved for location and content by the Fire Department.
  - b) Each antennae shall be identified to denote its function, i.e., transmitter or receiver antennae. Shut down of transmitter antennas shall be provided. Contact the Fire Department for specifics on the requirements for shutdown. An indicator light shall be incorporated in the shutdown system. Shutdown procedures shall be reviewed and approved by the Fire Department.

- c) With the issuance of a permit for installation, an inspection shall be performed by the Fire Department to verify labeling, signage and transmission shutdown. Inspection fees shall apply.
4. This use shall be conducted in compliance with all appropriate federal, state and local laws and regulations and in conformance with the approved plans. (P)
  5. Prior to issuance of building permits, the applicant shall provide the Planning Division with a color sample of proposed pine needle "foliage" for review. (P)
  6. If at the time of application for building permit there is a project job account balance due to the City for recovery of fees, review of permits will not be initiated until the balance is paid in full. (P)
  7. Prior to any permit issuance, the developer shall submit plan to Santa Clara Valley Water district for review and approval of this project. Provide a copy of this approval to the City of Milpitas Engineering Division. (E)
  8. Prior to building permit issuance, plans shall reflect a protection barrier between the proposed equipment area and the existing open trash enclosure area to protect the equipment from the rolling bins. (E)

Planning Division = (P)

Engineering Department = (E)

Fire Department = (F)





**PROJECT DESCRIPTION**  
**Cingular Wireless Site SF 933**

**1525 McCarthy Boulevard**

**Project Description**

Cingular Wireless proposes to develop a wireless phone antenna site at a light industrial property. The antennas would be concealed in a 60-foot tall, artificial redwood tree pole located at the rear of the parcel. Four equipment cabinets would be located next to the tree pole, within an existing trash enclosure.

**Project History and Alternate Sites Reviewed**

Due to the low height (two-stories) of buildings in this area, there are limited opportunities for antenna placement on an existing structure. Cingular originally intended to develop a site at the building next door, at 1501 McCarthy Boulevard. Antennas were proposed to be located on the rooftop. After discussions with Milpitas Planning Staff, Cingular was directed to pursue an alternate design, and the tree pole concept was developed. The property owner supported the design, but the building tenant objected to the location of the pole. Ultimately, the property owner decided not to pursue the project with Cingular at this location, but was amenable to moving the project to the subject site, under the same ownership, at 1525 McCarthy Boulevard

Property Contact for 1501 and 1525 McCarthy Boulevard: Aaron Levinson (415) 384-0339

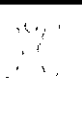
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APR 12 2004

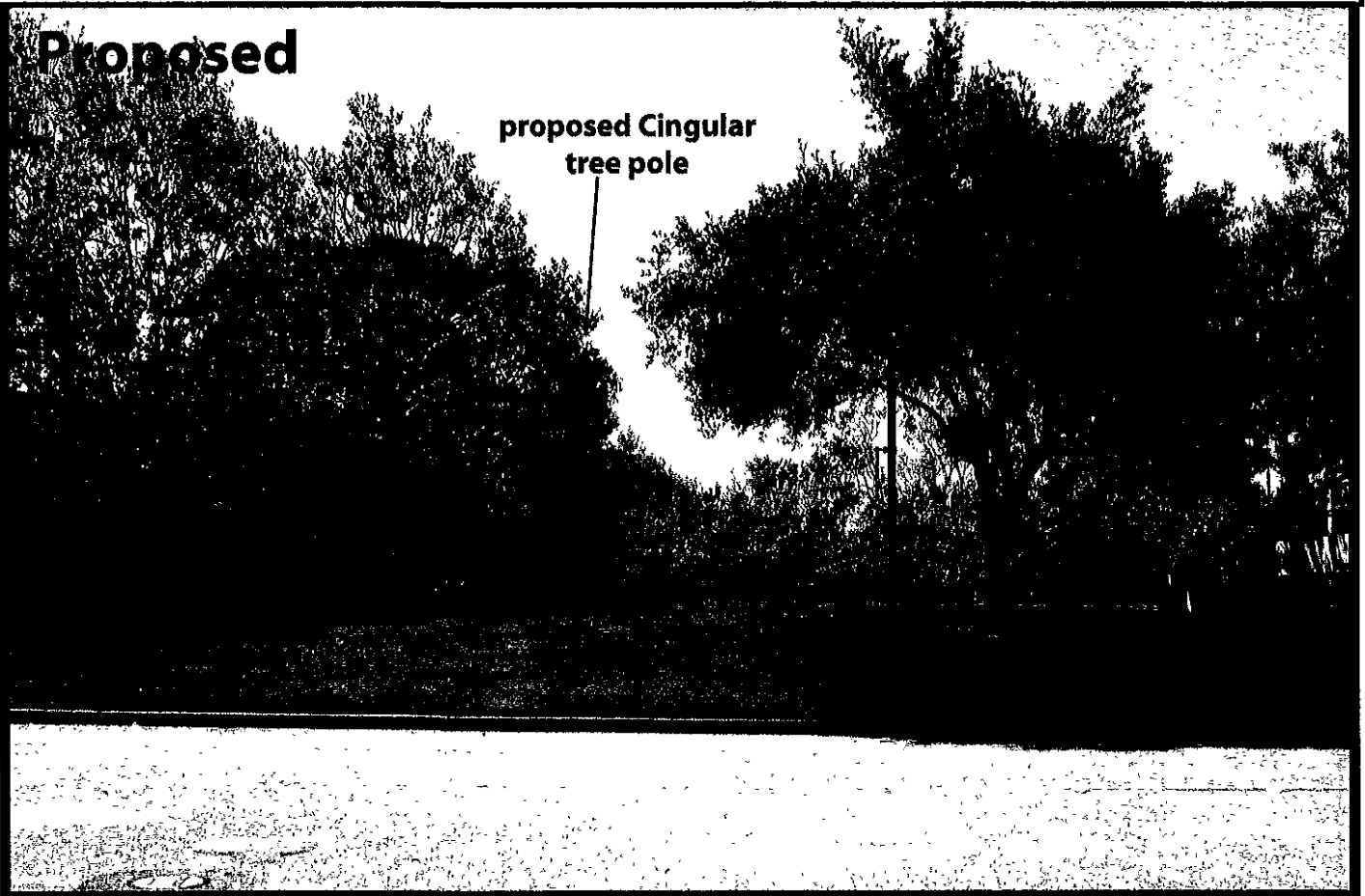
CITY OF MILPITAS  
PLANNING DIVISION

**Existing**



 <b>cingular</b> <sup>™</sup> WIRELESS	<b>SF-933-04</b>	<b>McCarthy</b>	1525 McCarthy Blvd. Milpitas, CA 95035
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**Proposed**



**Existing**



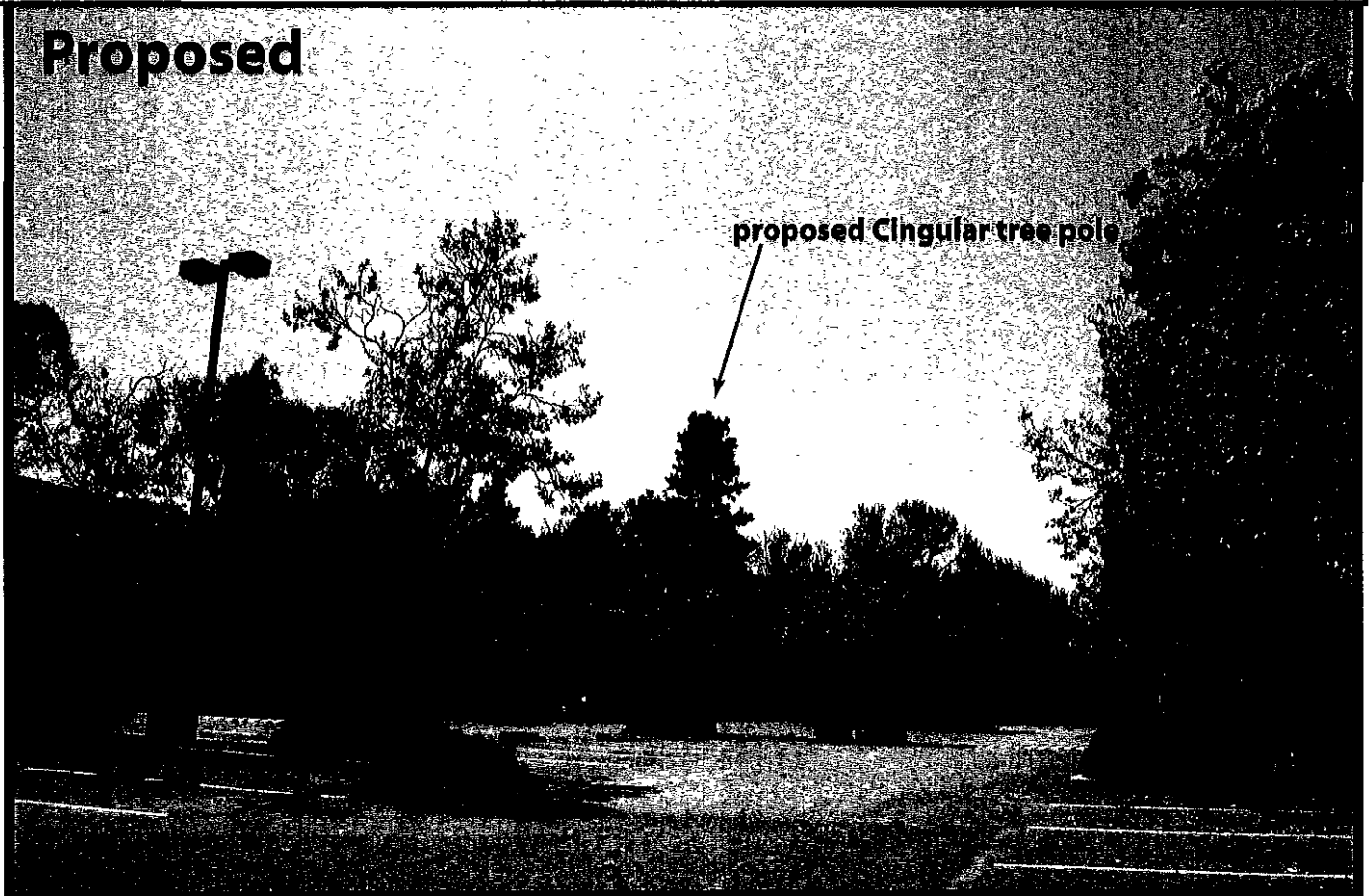
**cingular**<sup>™</sup>  
WIRELESS

**SF-933-04**

**McCarthy**

1525 McCarthy Blvd.  
Milpitas, CA 95035

**Proposed**



Photosimulation of the proposed telecommunications facility as seen looking south from McCarthy Blvd.



**cingular**<sup>™</sup>  
WIRELESS

**SF-933-04**

**McCarthy**

1525 McCarthy Blvd.  
Milpitas, CA 95035



proposed Cingular tree pole

\* 2

## GENERAL NOTES

- DRAWINGS ARE NOT TO BE SCALED. WRITTEN DIMENSIONS TAKE PRECEDENCE. THIS SET OF PLANS IS INTENDED TO BE USED FOR DIAGNOSTIC PURPOSES ONLY. UNLESS NOTED OTHERWISE, THE CONTRACTOR'S SCOPE OF WORK SHALL INCLUDE FURNISHING ALL MATERIALS, EQUIPMENT, LABOR AND ANYTHING ELSE DEEMED NECESSARY TO COMPLETE INSTALLATIONS AS DESCRIBED HEREIN.
- ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS. THE FOLLOWING CODES ARE SPECIFICALLY APPLICABLE:  
1997 UNIFORM BUILDING CODE  
1997 UNIFORM MECHANICAL CODE  
1997 UNIFORM PLUMBING CODE  
1999 NATIONAL ELECTRIC CODE  
2001 CALIFORNIA CODES
- THE ENGINEER HAS MADE EVERY EFFORT TO DETAIL THE COMPLETE SCOPE OF WORK IN THE CONSTRUCTION AND CONTRACT DOCUMENTS. CONTRACTORS ARE NEVERTHELESS CAUTIONED THAT MINOR OMISSIONS OR ERRORS IN THE DRAWINGS OR SPECIFICATIONS SHALL NOT EXCUSE SAID CONTRACTOR FROM COMPLETING THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THE DOCUMENTS. THE CONTRACTOR SHALL BEAR THE RESPONSIBILITY OF NOTIFYING THE ENGINEER IN WRITING OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE CONTRACTOR'S PROPOSAL. IN THE EVENT OF DISCREPANCIES THE CONTRACTOR SHALL PRICE THE MORE EXPENSIVE OR EXTENSIVE WORK, UNLESS DIRECTED OTHERWISE.
- ALL DRAWINGS ARE INTERRELATED. IN PERFORMANCE OF THE WORK, THE CONTRACTOR MUST REFER TO ALL DRAWINGS. ALL COORDINATION IS THE RESPONSIBILITY OF THE CONTRACTOR.
- DETAILS INCLUDED HEREIN ARE INTENDED TO SHOW THE END RESULT OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB CONDITIONS OR SITUATIONS AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE SCOPE OF WORK.
- THE CONTRACTOR INVOLVED SHALL VISIT THE JOB SITE AND FAMILIARIZE HIMSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED PROJECT, WITH THE CONSTRUCTION AND CONTRACT DOCUMENTS, AND CONFIRM THAT THE PROJECT MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY ERRORS, OMISSIONS OR DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE CONSTRUCTION MANAGER.
- VERIFY ALL MEASUREMENTS AT THE SITE BEFORE ORDERING ANY MATERIALS OR DOING ANY WORK. NO EXTRA CHARGE OR COMPENSATION SHALL BE ALLOWED DUE TO DIFFERENCES BETWEEN ACTUAL DIMENSIONS AND DIMENSIONS INDICATED ON THE CONSTRUCTION DRAWINGS. SUBMIT ANY DISCREPANCY IN DIMENSIONS TO THE CONSTRUCTION MANAGER FOR CONSIDERATION BEFORE PROCEEDING WITH WORK IN THE AFFECTED AREA.
- NO PLEA OF IGNOREANCE OF CONDITIONS THAT EXIST OR OF THE DIFFICULTIES OR CONDITIONS THAT MAY BE ENCOUNTERED OR ANY OTHER RELEVANT MATTER CONCERNING THE WORK TO BE PERFORMED IN THE EXECUTION OF THE WORK WILL BE ACCEPTED AS AN EXCUSE FOR FAILURE OR OMISSION ON THE PART OF THE CONTRACTOR TO FULFILL EVERY DETAIL OF THE REQUIREMENTS GOVERNING THE WORK.
- THE CONTRACTOR SHALL RECEIVE WRITTEN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM THAT IS NOT CLEARLY DEFINED BY THE CONSTRUCTION DOCUMENTS.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, SUBJECT TO APPROVAL OF THE CONSTRUCTION MANAGER AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
- THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH AND INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS UNLESS NOTED OTHERWISE OR WHERE LOCAL CODES AND ORDINANCES TAKE PRECEDENCE.
- THE CONTRACTOR SHALL PROVIDE AT THE PROJECT SITE A FULL SET OF CONSTRUCTION DOCUMENTS UPDATED WITH THE LATEST REVISIONS AND ADDENDUM OR CLARIFICATION AND THE BUILDING PERMIT FOR USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
- PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2A:10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE PROJECT AREA DURING CONSTRUCTION.
- THE EXISTING STRUCTURAL COMPONENTS OF THIS PROJECT SITE ARE NOT TO BE ALTERED BY THIS CONSTRUCTION PROJECT UNLESS NOTED OTHERWISE.
- THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVING, CURBING, ETC., DURING CONSTRUCTION. UPON COMPLETION OF WORK, CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
- CONTRACTOR SHALL KEEP THE GENERAL AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS AND RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. PREMISES SHALL BE LEFT IN A CLEAN CONDITION AND FREE FROM DUST, PAINT SPOTS OR SMUDGES OF ANY NATURE.
- ALL VISIBLE ELEMENTS SHALL BE PAINTED TO MATCH AND BLEND IN WITH THE EXISTING SURROUNDING ELEMENTS OR IN ACCORDANCE WITH REQUIREMENTS OF OWNER OR REGULATORY AGENCIES.

# McCARTHY

## SF-933-04

# \* cingular<sup>SM</sup>

## WIRELESS

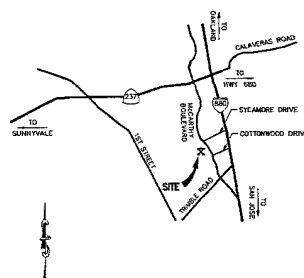
### PROPERTY DESCRIPTION

ADDRESS: 1525 MCCARTHY BLVD.  
MILPITAS, CA 95035

APN: 066-03-079

### LOCATION MAP

N.T.S.



CITY OF MILPITAS

### PROJECT CONTACTS

#### APPLICANT

CINGULAR WIRELESS  
4420 ROSEWOOD DR BUILDING #2, 3RD FLOOR  
PLEASANTON, CA 94588  
CONTACT: DIANE SLATTERY (925) 227-4254

#### PROPERTY OWNER

UMAR REALTY CORPORATION  
C/O COMMUNICATION LEASING SERVICES  
391 MILLER AVE., #108  
MILL VALLEY, CA 94541  
CONTACT: AARON LEVINSON (415) 384-0339

#### CONSTRUCTION MANAGER

CINGULAR WIRELESS  
4420 ROSEWOOD DR BUILDING #2, 3RD FLOOR  
PLEASANTON, CA 94588  
CONTACT: JAY THOMAS (925) 413-8448

#### ENGINEERS

CRDC  
1625 JULIAN DRIVE  
EL GERRITO, CA 94530  
CONTACT: ART CHEN (510) 234-9088

#### SITE ACQUISITION

SBA CONSULTING SERVICES, INC.  
4420 ROSEWOOD DRIVE, BUILDING #2, 3RD FLOOR.  
PLEASANTON, CA 94588  
CONTACT: BRIAN LEEGWATER (510) 388-0342

#### PLANNERS

RUTH + BONG  
2216 THE ALAMEDA  
SANTA CLARA, CA 95050  
CONTACT: LEAH HERNIKL (408) 236-2400

#### SURVEYORS

DAVID EVANS AND ASSOCIATES, INC.  
5000 EXECUTIVE PARKWAY, SUITE 125  
SAN RAMON, CA 94583  
CONTACT: KEVIN MCQUIRE (925) 867-3380

### PROJECT DESCRIPTION

THIS PROJECT IS TO INSTALL AND OPERATE A LOCAL PERSONAL COMMUNICATIONS SYSTEM (PCS) SITE WHICH TRANSMITS AND RECEIVES RADIO SIGNALS AS PART OF A REGIONAL PCS NETWORK FOR CINGULAR WIRELESS. THE BASIC COMPONENTS OF THIS SYSTEM ARE:

THREE PAIRS OF ANTENNAS, EACH 5'1" TALL x 13" WIDE x 3" DEEP AND WEIGHING 20 LBS, MOUNTED ON A FIBERGLAS TREE POLE LOCATED AT THE SOUTH CORNER OF THE PROPERTY.

FOUR BASE TRANSCIVER STATIONS (BTS), EACH 5'-10" TALL x 4'-3" WIDE x 2'-4" DEEP AND WEIGHING 1705 LBS, LOCATED NEAR THE BASE OF THE TREE POLE WITHIN AN EXISTING TRASH ENCLOSURE.

ELECTRICAL AND TELEPHONE PANELS IN THE BTS AREA.

ENVIRONMENTAL INFORMATION:  
EACH BTS WILL HAVE A MAXIMUM OF FOUR BATTERIES WITH 3.3 QUARTS OF ACID IN EACH BATTERY.

### INDEX

- T-1 TITLE SHEET
- A-1 PLANS AND ELEVATION
- A-2 ELEVATION AND DETAILS

### REFERENCE

- C-1 SITE SURVEY (EXISTING CONDITIONS)

\* cingular<sup>SM</sup> WIRELESS  
4420 Rosewood Dr. Bldg 2, 3rd Floor  
Pleasanton, CA 94588



CRDC  
ENGINEERS  
1625 Julian Drive, El Cerrito, CA 94530  
Phone: 510.234.9088 fax 510.234.6188

DATE: 09/15/05

DRAWN BY: TC

FILE NO: SF-933-04

### REVISIONS

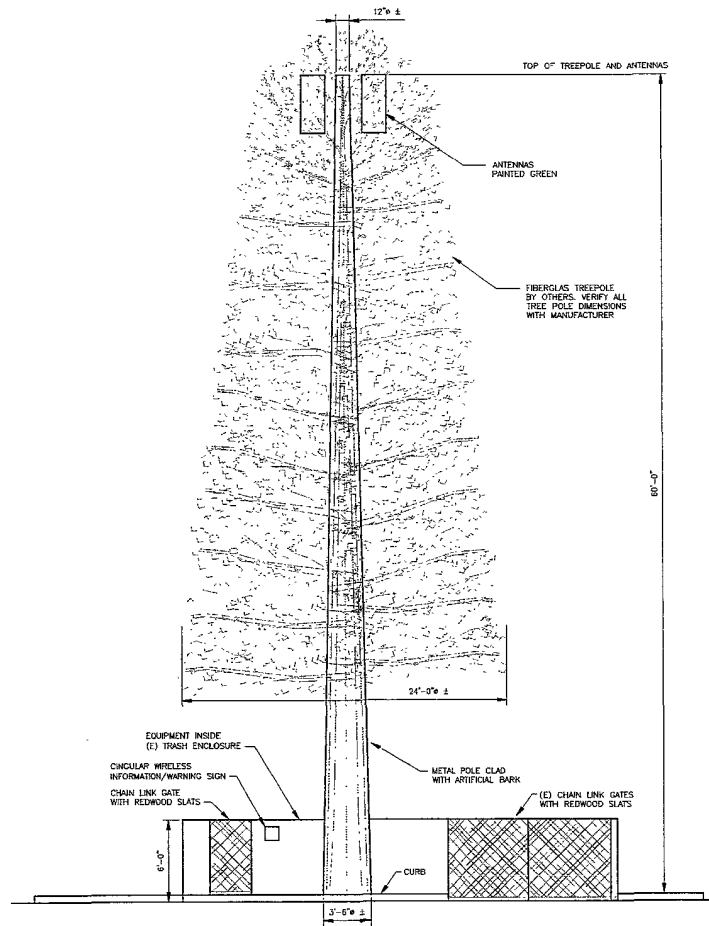
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RECEIVED  
SF-933-04  
McCARTHY  
1525 MCCARTHY BOULEVARD  
MILPITAS, CA

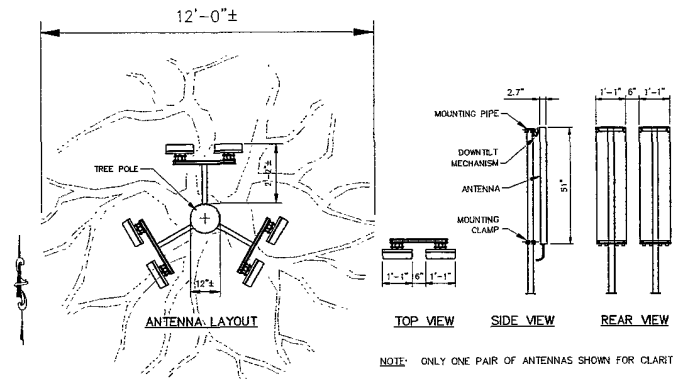
JUL 5 2004 SHEET

CITY OF MILPITAS  
PLANNING DIVISION



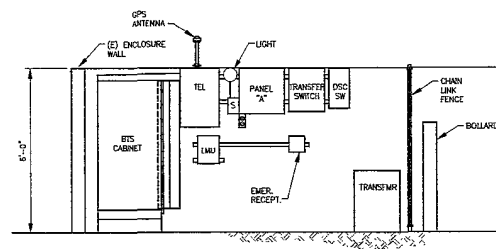


NORTHEAST ELEVATION  
SCALE: 1/4" = 1'-0"

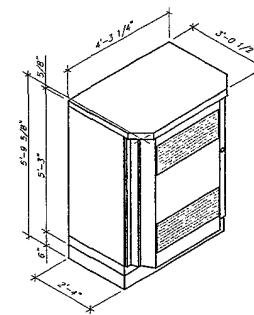


NOTE: ONLY ONE PAIR OF ANTENNAS SHOWN FOR CLARITY

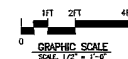
ANTENNA DETAIL  
SCALE: 1/2" = 1'-0"



PANELS DETAIL  
SCALE: 1/2" = 1'-0"



BTS CABINET DETAIL  
SCALE: 1/2" = 1'-0"



x cingular<sup>®</sup> WIRELESS

4420 Rosewood Dr., Bldg. 2, 3rd Floor  
Pleasanton, CA 94566



CRDC  
ENGINEERS

1625 Julian Drive, El Cerrito, CA 94530  
Phone: 510.234.5088 Fax: 510.234.6188

DATE: 09/15/03

DRAWN BY: ES

FILE NO.: SF-933-04

REVISIONS

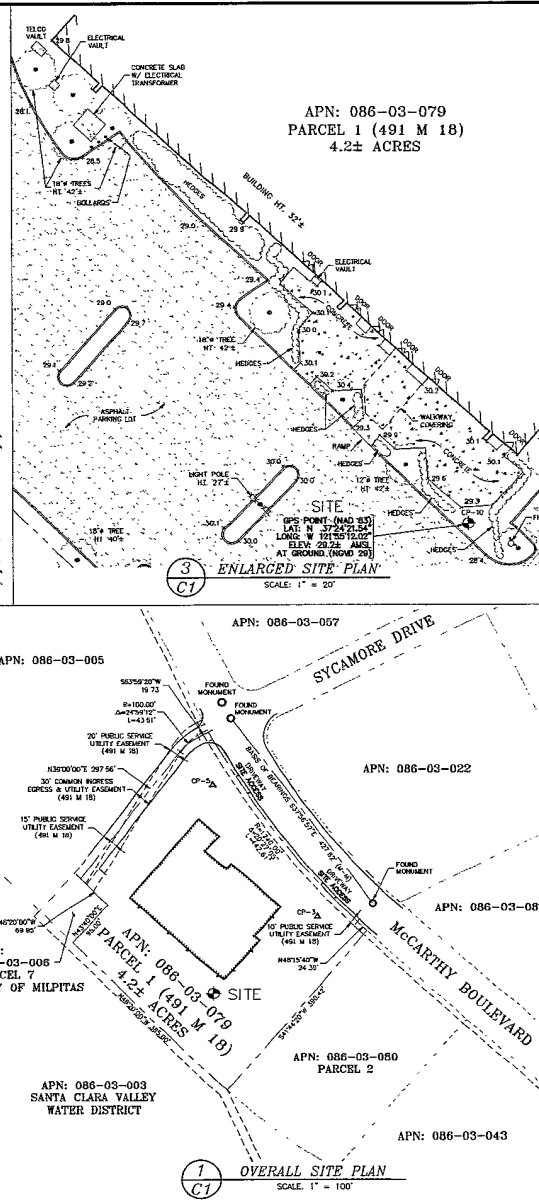
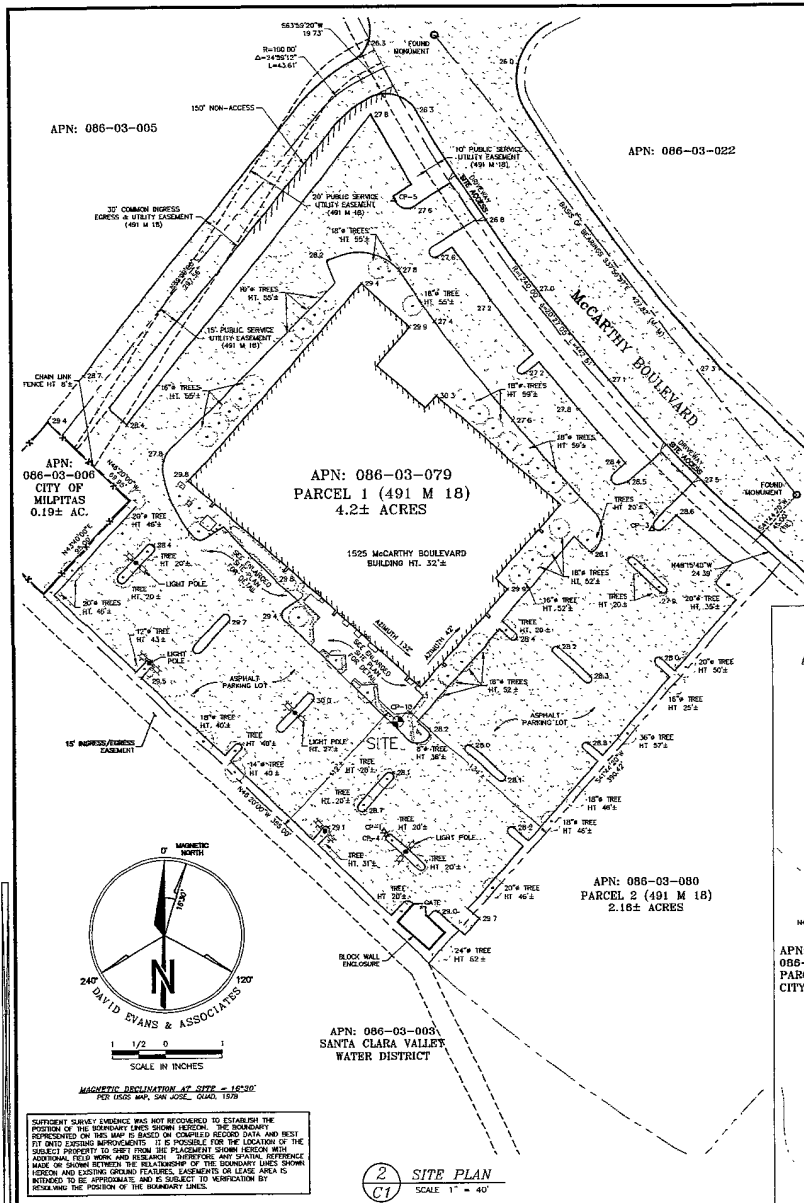
DATE	DESCRIPTION	BY
09/20/03	80% ZONING ISSUE	ES
01/19/04	80% ZONING ISSUE	ES
03/30/04	100% ZONING ISSUE	ES
06/10/04	100% ZONING REV 1	ES

SF-933-04

McCARATHY  
1525 MCCARTHY BOULEVARD  
MILPITAS, CA

ELEVATION  
AND DETAILS

A-2



DATE: 08/22/03  
DRAWN BY: MESC  
FILE NO.: PCBW0000-1550

REVISIONS

DATE	DESCRIPTION	INITIAL
08/22/03	100% ISSUE	MESC

PROPERTY INFORMATION

Owner: LUNA REALTY CORPORATION  
Address: 5700 COMMUNICATIONS DRIVE, 301 MILLER AVENUE, #100  
MIL VALLEY, CA 94541

Site: MCCARTHY  
Address: 1525 MCCARTHY BOULEVARD  
MILPITAS, CA 95035

Assessor's Parcel Number: 086-03-079

Height of Building/Tower: N/A

Title Report:  
NO TITLE REPORT FURNISHED. EXCEPTIONS TO THE TITLE AND RESERVATIONS THEREFROM COULD NOT BE DETERMINED. BOUNDARY INFORMATION SHOWN IS COMPILED FROM AVAILABLE RECORD DATA.

Legal Description:  
PROPERTY SITUATED IN THE CITY OF MILPITAS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

FEMA FLOOD ZONE DESIGNATION National Flood Insurance Program  
County: SANTA CLARA Effective Date: MAY, 1996  
Community Flood Number: 050344-0003-1  
The Flood Zone Designation for this site as plotted by scale is:  
A Areas of 100-year flood base flood elevations and flood record history not determined.

SURVEY DATA

NEED BE SHOWN  
Lat. N. 37°24'21.54" Long. W. 121°53'12.04"  
Datum: NAD 83 Equipment Used: Trimble LS 4400 Total Station  
Site Ground Elevation: 29.22 AMSL (NGVD 29) AT S.E. BUILDING CORNER

Scale of Elevation:  
QUADRA POSITIONING SYSTEM (GPS)  
(SEE NOTE 2)

Range of Bearings:  
BEARINGS MAY BE FOUND IN BOOK 481, PAGE 15, AND TWO FOUND MONUMENTS AS SHOWN.

Date of Field Survey: 08/20/03

NOTES

- This is not a boundary survey. This is a topographic map with property lines and easements shown as shown. It is not a boundary survey. It is not a boundary survey. It is not a boundary survey.
- The latitude, longitude and elevation shown herein were obtained from post-processed GPS data collected using Trimble Global Positioning System (GPS) and the Trimble 15400 Total Station GPS Receiver. Elevation, spot elevations are reported in MSL (Mean Sea Level) and are not to be used for any other purpose. (See Note 2)
- Where otherwise noted, no underground utility locating service company was contacted prior to this map being prepared. Therefore there may be non-visible or obscure utilities existing on the property not shown on this map. (See Note 2)
- Any electronic digital data provided by David Evans and Associates, Inc. for use in this project is not to be reproduced, distributed, sold, altered, copied, or otherwise used without the express written consent of an Officer of David Evans and Associates, Inc. Further, any use of the data, without express written consent, shall constitute a violation of the terms of the license agreement and shall be subject to legal action.

SURVEYOR'S STATEMENT

I, the undersigned, a Registered Professional Land Surveyor, do hereby certify that the information, measurements, monuments, record boundary lines, bearings and distances as shown herein are correct as per a field survey or otherwise. Furthermore, the California and Louisiana boundaries are reported in MSL (Mean Sea Level) and are not to be used for any other purpose. (See Note 2)

DATE: 08/22/03

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

LEGEND

ASPHALT	CATCH BASIN
CONCRETE	LIGHT POLE
CONTROL POINT	MANHOLE
ELECTRIC VAULT	SPOT ELEVATION
FIRE HYDRANT	TELECO VAULT
FOUND MONUMENT	TRIMMING BENCHMARK
GPS POINT	UTILITY POLE
GLY ANCHOR	WATER VAULT

EXISTING SITE CONDITIONS

SF-933-04  
MCCARTHY  
AGREES EAST  
1525 MCCARTHY BOULEVARD  
MILPITAS, CA 95035

C1  
OF 1 SHEET



City of Milpitas  
Planning Division  
455 E. Calaveras Blvd.  
Milpitas, CA 95035  
(408) 585-3279

### Questionnaire for Telecommunication Facility Providers

All applicants requesting to install telecommunications facilities within the City of Milpitas must complete this questionnaire as part of their use permit application submittal.

Applicant Name: CINGULAR WIRELESS c/o LEAH HERNIKL

Applicant Address: RUTH AND GOING, INC / 2210 THE ALAMEDA

Applicant Phone: (408) 236-2400 x117 SANTA CLARA, CA 95050

Applicant Fax and e-mail address: (408) 236-2410  
LHERNIKL@RUTHANDGOING.COM

Provide a brief description of project (Telecommunications Facility): INSTALL WIRELESS PHONE  
ANTENNAS AT A HEIGHT OF 60 FEET, CONCEALED IN  
AN ARTIFICIAL TREE MONOPOLE

Location of Project: 1525 MCCARTHY BLVD

1. Please indicate below the frequency range you plan to use?

- ☐ VHF Low-Band (30-60 Mhz or 72-75 Mhz)
- ☐ VHF High-Band (136-174 Mhz or 220-222 Mhz)
- ☐ UHF or T-Band (406-420 Mhz or 450-470 Mhz or 470-512 Mhz)
- ☐ 800 or 900 Mhz Band (800-960 except 900 Mhz Spread Spectrum)
- ☐ 900 Mhz Spread Spectrum (902-928 Mhz)
- ☒ Other than specified above (State frequency band in Mhz). Describe: 1850-1990 Mhz

2. Please indicate below the channel/system proposed for use?

- ☐ A single channel
- ☒ Multiple channel
- ☐ A frequency agile system
- ☐ A spread spectrum system
- ☐ Other than specified above. Describe: \_\_\_\_\_

3. Please indicate below the frequency range you plan to use?

- ☐ Narrow band ( $\pm 5$  Khz or less deviation)
- ☒ Broad band (greater than  $\pm 5$  Khz deviation)
- ☐ Spread Spectrum
- ☐ Other than specified above. Describe: \_\_\_\_\_

4. What will be the effective radiated power (ERP) be when all channels at your proposed site are radiating? 54 dbi Will the site be in compliance with current ANSI radiation health standards? YES
5. What horizontal radiation pattern is planned for this project?
- ☐ Omnidirectional
- ☒ Sectoral
- ☐ Directional (provide half power beam width) \_\_\_\_\_
6. What will the vertical radiation angle (half power beam width) be for your proposed antenna(s)? VERTICAL BEAM WIDTH: 6 DEGREES
7. How high above the local terrain (e.g., surrounding structures) will the center of radiation of your proposed antenna(s) be? 58' ABOVE GROUND LEVEL
8. How close to your proposed project is the nearest roadway 300' feet/miles and, if elevated, what is the roadway's height above the local terrain? \_\_\_\_\_ feet
9. How close to your proposed project is the nearest regularly occupied building and how high is the top floor above local terrain? 32'
10. What is the distance to the nearest existing radio communications or broadcast antenna(s) if less than 1/4 mile? 1 feet/miles. Answer question 1 for such existing antenna(s) and identify owner/operator, if known. # 00006 - CW - L - 95
11. What is the status of your FCC license grant? EXP JUNE 23, 2005  
(Include a copy of the license with submittal of this questionnaire.)

NOTE: The below listed items are required by the applicant as part of this submittal:

- a) Provider's build-out map\* showing all sites anticipated within Milpitas (see question no. 2)
- b) Photo simulations\*\* of antenna(s) as viewed from at least three surrounding view points. Show "worst case" vantage points.
- c) List of all sites that were investigated\*\* for a particular search ring and the reasons why they were discarded. Include names and phone numbers of persons contacted regarding potential sites.
- d) Copy of applicants Power Density Study\* (see item no. 4).

NEAREST KNOWN ARE  
CIRCULAR BROADCAST AND  
RECEIVE ANTENNAS,  
APPROXIMATELY 0.5 MILE  
AWAY AT 510 COTTONWOOD.

\* 20 copies (Telecommunication Commission)

\*\* 35 copies (Telecommunication Commission & Planning Commission)

FREQUENCY RANGE  
IS 1850-1990 MHz.

Back of  
Telecommunication Questionnaire

JUN 23 1995 10:32AM

FAC TEL FED REG

No. 4181 P. 4/5



United States of America  
Federal Communications Commission

## RADIO STATION AUTHORIZATION

Commercial Mobile Radio Services  
Personal Communications Service - Broadband

PACIFIC TELESIS MOBILE SERVICES  
4420 Rosewood Drive  
Bldg. 2, 4th Floor  
Pleasanton, CA 94588

Call Sign: **KNLF209**  
Market: **M004**  
SAN FRANCISCO-OAKLAND-SAN JOSE  
Channel Block: **B**  
File Number: **00006-CW-L-95**

The licensee hereof is authorized, for the period indicated, to construct and operate radio transmitting facilities in accordance with the terms and conditions hereinafter described. This authorization is subject to the provisions of the Communications Act of 1934, as amended, subsequent Acts of Congress, international treaties and agreements to which the United States is a signatory, and all pertinent rules and regulations of the Federal Communications Commission, contained in the Title 47 of the U.S. Code of Federal Regulations.

Initial Grant Date . . . . . June 23, 1995

Five-year Build Out Date . . . . . June 23, 2000

Expiration Date . . . . . June 23, 2005

### CONDITIONS :

Pursuant to Section 309(h) of the Communications Act of 1934, as amended, (47 U.S.C. § 309(h)), this license is subject to the following conditions: This license does not vest in the licensee any right to operate a station nor any right in the use of frequencies beyond the term thereof nor in any other manner than authorized herein. Neither this license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended (47 U.S.C. § 151, et seq.). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended (47 U.S.C. § 606).

Conditions continued on Page 2.

### WAIVERS :

No waivers associated with this authorization.

KNLF209

PACIFIC TELESIS MOBILE SERVICES

No. 4181 P. 5/5

00006-CW-L-95

**CONDITIONS:**

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.



**Diamond Services**

3860 Industrial Way

Benicia, Ca 94510

Ph: (707) 751-5900

Fax: (707) 751-5901

**RADIO FREQUENCY ANALYSIS  
PROPOSED PERSONAL COMMUNICATION SYSTEM  
BASE STATION  
CINGULAR WIRELESS SITE NO. SF 933-04  
"McCARTHY"  
1525 McCARTHY BOULEVARD,  
MILPITAS, CALIFORNIA**

**By: Diamond Services  
Date 12/04/2003**



## **Diamond Services**

**3860 Industrial Way**

**Benicia, Ca 94510**

**Ph: (707) 751-5900**

**Fax: (707) 751-5901**

## **Report Summary**

Based upon information provided by Cingular Wireless and the design engineer, and using the calculated method for determining RF field strength, it is the engineer's opinion that the PCS base station which will be located at 1525 McCarthy Boulevard, Milpitas, California, will comply with the FCC's current prevailing standard for limiting human exposure to RF energy.

Due to the mounting method utilized, the general public would not normally be able to approach the antennas. Therefore, no significant impact on the general population is expected. The calculated electromagnetic field strength level in publicly accessible areas is less than the existing standard allows for exposure of unlimited duration. Additionally, due to the mounting method used, no significant impact on the environment is expected.

For personnel who maintain or work near the antennas, a training program in exposure to RF fields is recommended, since any access closer than 7 feet to the face of a Cingular PCS antenna could expose personnel to RF field levels greater than the occupational limits, and such access should be prohibited. At this site, public access to the face of an antenna would be difficult due to the mounting method utilized. Maintenance personnel should be instructed to contact Cingular Wireless prior to working in front of an antenna.

RF warning signs should be posted at the base of the treepole.

## **Background**

Diamond Services<sup>1</sup> has been retained by Cingular Wireless to conduct a Radio Frequency (RF) electromagnetic analysis for a Personal Communication System (PCS) base station to be located at 1525 McCarthy Boulevard, Milpitas, California. This analysis consists of a review of the proposed site conditions, calculation of the estimated RF field strength of the PCS base station, and the provision of a comparison of the estimated field strength with the Federal Communication Commission (FCC) recommended guidelines for human exposure to RF electromagnetic fields.

---

<sup>1</sup> PGI Group Incorporated d.b.a. Diamond Services

## Site Description

Based upon information provided by Cingular Wireless and the drawings provided by the design engineer, six proposed PCS panel antennas will be installed on a new treepole. The antennas will be mounted 50'–9" (to bottom of antennas) above ground level. The antennas will be oriented such that the main lobes are oriented toward the horizon. Normal public access to the front of the antennas is not expected due to the mounting location and method utilized. Occupational access to areas near the front of the antennas is not normally expected.

## RF Field Strength Calculation Methodology

A generally accepted method is used to calculate the expected RF field strength. The method uses the FCC's recommended equation,<sup>2</sup> which predicts field strength on a worst-case basis by doubling the predicted field strength. The following equation is used to predict maximum RF field strength:

$$\text{Equation 1} \quad S = \frac{(2)^2 PG}{4\pi R^2} = \frac{PG}{\pi R^2} = \frac{EIRP}{\pi R^2}$$

Where:

S = power density

P = power input to the antenna

G = power gain of the antenna in the direction of interest relative to an isotropic radiator

R = distance to the center of radiation of the antenna

Using a maximum effective radiated power of 400 watts, and a down tilt of 5°, the maximum calculated field strength for this site at 6'–6" above ground level is 0.0024 mW/cm<sup>2</sup>. Using this result, the maximum calculated field strength at ground level is .24% of the applicable limit for general public uncontrolled exposure.

Calculations were performed for the main antenna lobe, the -3dB point, and the first and second lower lobes.

See Table 1 for the FCC's guidelines on Maximum Permissible Exposure (MPE). Note that the RF range referenced for this analysis is the range of 1500 – 100,000 Mhz shown in Table 1, which is included in Appendix A.

---

<sup>2</sup> Reference Federal Communication Commission Office of Engineering Technology Bulletin 65

## Exposure Environments

The FCC guidelines incorporate two separate tiers of exposure limits that are dependent on the situation in which the exposure takes place and/or the status of the individuals who are subject to exposure. The decision as to which tier applies in a given situation should be based on the application of the following definitions.

***Occupational/controlled*** exposure limits apply to situations in which persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general population/uncontrolled limits (see below), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

***General population/uncontrolled*** exposure limits apply to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public always fall under this category when exposure is not employment-related.

For purposes of applying these definitions, awareness of the potential for RF exposure in a workplace or similar environment can be provided through specific training as part of a RF safety program. Warning signs and labels can also be used to establish such awareness as long as they provide information, in a prominent manner, on risk of potential exposure and instructions on methods to minimize such exposure risk. For example, a sign warning of RF exposure risk and indicating that individuals should not remain in the area for more than a certain period of time could be acceptable.

Another important point to remember concerning the FCC's exposure guidelines is that they constitute ***exposure*** limits (not ***emission*** limits), and they are relevant only to locations that are ***accessible*** to workers or members of the public. Such access can be restricted or controlled by appropriate means such as the use of fences, warning signs, etc., as noted above. For the case of occupational/controlled exposure, procedures can be instituted for working in the vicinity of RF sources that will prevent exposures in excess of the guidelines. An example of such procedures would be restricting the time an individual could be near an RF source or requiring that work on or near such sources be performed while the transmitter is turned off or while power is appropriately reduced.



## Qualifications of Reporting Engineer

Mr. Runte has been involved in the measurement of RF emissions since 1979. He has designed numerous RF systems including both site design and RF system design. He is a registered Professional Engineer in the state of California, and all contents of this report are true and correct to the best of his knowledge.

Signed:

  
Matthew J. Runte, P.E.

Date:

12/9/07



**Professional Engineer Stamp**

## APPENDIX A

### Term Definitions

**Exposure** Exposure occurs whenever and wherever a person is subjected to electric, magnetic or electromagnetic fields other than those originating from physiological processes in the body and other natural phenomena.

**Exposure, partial-body.** Partial-body exposure results when RF fields are substantially nonuniform over the body. Fields that are nonuniform over volumes comparable to the human body may occur due to highly directional sources, standing-waves, re-radiating sources or in the near field.

**General population/uncontrolled exposure.** For FCC purposes, applies to human exposure to RF fields when the general public is exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public always fall under this category when exposure is not employment-related.

**Maximum permissible exposure (MPE).** The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with an acceptable safety factor.

**Occupational/controlled exposure.** For FCC purposes, applies to human exposure to RF fields when persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general population/uncontrolled limits (see definition above), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

**Table 1. LIMITS FOR MAXIMUM PERMISSIBLE EXPOSURE (MPE)****(A) Limits for Occupational/Controlled Exposure**

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm <sup>2</sup> )	Averaging Time  E  <sup>2</sup> ,  H  <sup>2</sup> or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f <sup>2</sup> )*	6
30-300	61.4	0.163	1.0	6
300-1500	--	--	f/300	6
1500-100,000	--	--	5	6

**(B) Limits for General Population/Uncontrolled Exposure**

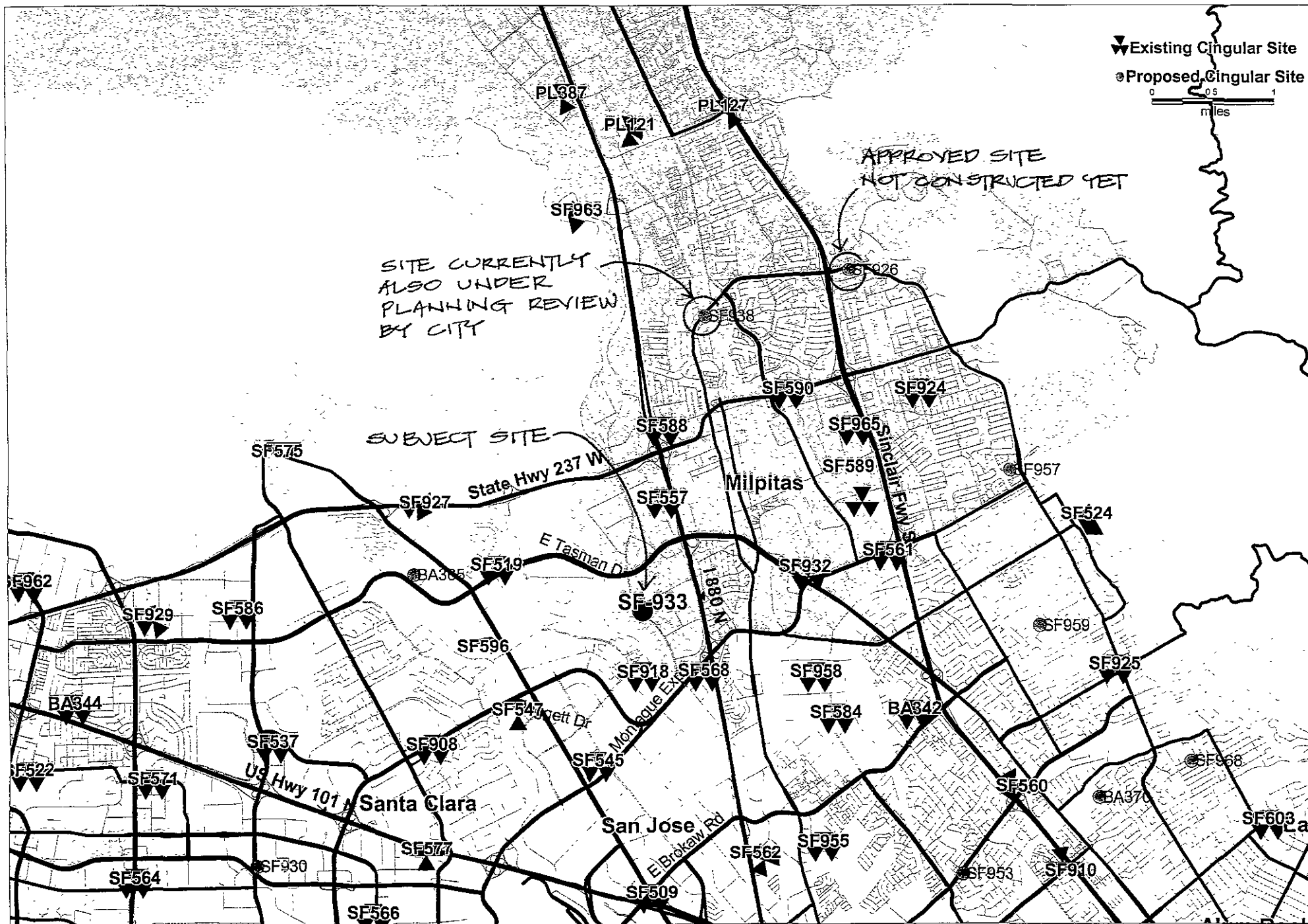
Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm <sup>2</sup> )	Averaging Time  E  <sup>2</sup> ,  H  <sup>2</sup> or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f <sup>2</sup> )*	30
30-300	27.5	0.073	0.2	30
300-1500	--	--	f/1500	30
1500-100,000	--	--	1.0	30

f = frequency in MHz

\*Plane-wave equivalent power density

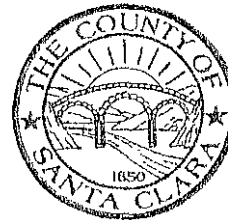
NOTE 1: *Occupational/controlled* limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure.

NOTE 2: *General population/uncontrolled* exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or can not exercise control over their exposure.



\*2

County of Santa Clara  
Office of the County Clerk-Recorder  
Business Division



County Government Center  
70 West Hedding Street, E. Wing, 1<sup>st</sup> Floor  
San Jose, California 95110 (408) 299-5665

ENVIRONMENTAL DECLARATION

For CLERK-RECORDER'S USE ONLY  
POSTED ON JUL 7 2004 THROUGH JUL 27 2004  
IN THE OFFICE OF THE COUNTY CLERK-RECORDER  
BRENDA DAVIS, COUNTY CLERK  
BY [Signature] DEPUTY  
LAURA B. AGUILAR

FOR CLERK-RECORDER FILE STAMP  
**ENDORSED**  
JUL 7 2004  
BRENDA DAVIS, County Clerk-Recorder  
Santa Clara County  
By \_\_\_\_\_ Deputy  
CLERK-RECORDER  
FILE NO. **E11796**

NAME OF LEAD AGENCY: City of Milpitas

NAME OF APPLICANT: Cingular Wireless

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

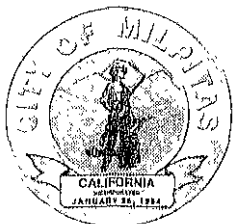
1. ☒ NOTICE OF PREPARATION INTENT TO ADOPT NEGATIVE DECLARATION
2. ☐ NOTICE OF EXEMPTION
3. NOTICE OF DETERMINATION  
NEGATIVE DECLARATION PURSUANT TO PUBLIC RESOURCES CODE § 21080(C)  
☐ \$1300.00 REQUIRED (\$1250.00 STATE FILING FEE AND \$50.00 COUNTY CLERK FEE)  
☐ CERTIFICATE OF EXEMPTION AND/OR DE MINIMUS IMPACT FINDING STATEMENT  
ATTACHED - \$50.00 COUNTY CLERK FEE REQUIRED
4. NOTICE OF DETERMINATION  
ENVIRONMENTAL IMPACT REPORT PURSUANT TO PUBLIC RESOURCES CODE § 21152  
☐ \$900.00 REQUIRED (\$850.00 STATE FILING FEE AND \$50.00 COUNTY CLERK FEE)  
☐ CERTIFICATE OF EXEMPTION AND/OR DE MINIMUS IMPACT FINDING STATEMENT  
ATTACHED - \$50.00 COUNTY CLERK FEE REQUIRED
5. Other: \_\_\_\_\_

CA Dept. of Fish and Game  
Receipt # \_\_\_\_\_

NOTICE TO BE POSTED FOR 20 DAYS.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL ENVIRONMENTAL DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING.  
CHECKS SHOULD BE MADE PAYABLE TO : COUNTY CLERK-RECORDER.

Board of Supervisors: Donald F. Gage, Blanca Alvarado, Pete McHugh, James T. Beall, Jr., Liz Kniss  
Acting County Executive: Peter Kutas, Jr.



**NOTICE OF INTENT TO ADOPT A  
NEGATIVE DECLARATION**

**CINGULAR WIRELESS ARTIFICIAL TREE POLE  
EIA NO. EA2004-6**

**NOTICE IS HEREBY GIVEN** that a Negative Declaration (a statement briefly describing the reasons that the proposed project **will not** have a significant effect on the environment) has been completed by the City of Milpitas Planning Division for the installation of an artificial tree pole and telecommunication antennas adjacent to Coyote Creek as described below:

**Project Description:** Installation of a 60 foot tall artificial pine tree pole with six (6) telecommunication antennas mounted on the treetop in the rear of an existing parking lot adjacent to the Coyote Creek. Associated ground mounted equipment would be located in an approximately 195 square foot portion of an existing trash/recycling enclosure.

**Project Location:** A 4.20 acre site located at 1525 McCarthy Boulevard, within the City of Milpitas, County of Santa Clara. Assessor's Parcel Numbers: 086-03-079.

**Document Availability:** A copy of the Initial Study and Negative Declaration (and all documents they reference) are available for review at the Planning Division, 455 East Calaveras Boulevard, Milpitas, CA 95035. You may also obtain a copy of the Initial Study and Negative Declaration by calling Kim Duncan (408 586-3283) and requesting one.

**Public Review Timeline:** Written public comment on the Initial Study and Negative Declaration may be submitted between July 8, 2004 and July 28, 2004 to the Milpitas Planning Division, Attention Kim Duncan, 455 East Calaveras Boulevard, Milpitas, CA 95035.

**Planning Commission Consideration:** It is anticipated that the Planning Commission will consider this Negative Declaration, all written comments received by June 8, 2004, and the project proposal at its meeting of July 28, 2004 at 7:00 p.m. Any person wishing to be heard on this item may attend this meeting and address the Commission. The meeting will be held in the Council Chambers at Milpitas City Hall, 455 East Calaveras Boulevard, Milpitas, CA.

**Questions:** If you have any questions on this project please contact Kim Duncan, Project Planner, City of Milpitas (408) 586-3283.



**ENVIRONMENTAL  
IMPACT ASSESSMENT NO: EA2004-6**

E11796

Planning Division

455 E. Calaveras Blvd., Milpitas, CA 95035

(408) 586-3279

Prepared by: Kim Duncan

July 8, 2004

date

Title: Project Planner

1. Project title: Cingular Wireless
2. Lead Agency Name and Address: City of Milpitas, 455 E Calaveras Boulevard, Milpitas, CA 95035
3. Contact person and phone number: Kim Duncan, 408/586-3283
4. Project location: 1525 McCarthy Boulevard, Milpitas, CA 95035
5. Project sponsor's name and address:  
Ruth and Going, Incorporated, c/o Leah Hernikl 2216 The Alameda, Santa Clara, CA 95050
6. General plan designation: HS (Highway Services)
7. Zoning: M1 (Light Industrial)
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)  
Installation of an approximately 60-foot tall artificial tree pole with six (6) telecommunication antennas mounted on the treetop in the rear of an existing parking lot adjacent to the Coyote Creek Trail. Associated ground mounted equipment would be located in an approximately 195 square foot portion of an existing trash/recycling enclosure.
9. Surrounding land uses and setting: Briefly describe the project's surroundings:  
The project site is located on a 4.20 acre parcel at the southwest corner of McCarthy Boulevard and Sycamore Drive and developed with a light industrial building. Surrounding development directly north, northeast, east and southeast of the site is developed as industrial park with tenants such as LSI, Linear Technology and Xicor. Directly south of the project site is zoned light industrial and developed with vacant buildings. The site is bound on the westerly side by Coyote Creek Trail and the eastern portion of San Jose. The project site is designated by the Milpitas General Plan as Highway Services (HS) and zoned Light Industrial (M1).
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)  
none

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

☐ Aesthetics

☐ Agriculture Resources

☐ Air Quality

July 8, 2004

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning      |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

E11796

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date: 7/7/04

Project Planner: Kim Duncan

Signature

Kim Duncan  
Printed Name

A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project level, indirect as well as direct, and construction as well as operational impacts.



WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
<b>I. AESTHETICS:</b>						
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,13, 17,18
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,13, 17,18
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,13, 17,18
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,13, 17,18
<b>II. AGRICULTURE RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	

<b>III. AIR QUALITY:</b> (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations). Would the project:						
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,9,17, 18,19
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,9,17, 18,19
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,9,17, 18,19
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,9,17, 18,19
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,9,17, 18,19
<b>IV. BIOLOGICAL RESOURCES:</b> Would the project:						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19

WOULD THE PROJECT:	IMPACT					
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
<b>V. CULTURAL RESOURCES:</b> Would the project:						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,15,16 17,18, 19
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,15,16 17,18, 19
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,15,16 17,18, 19
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,15,16 17,18, 19
<b>VI. GEOLOGY AND SOILS:</b> Would the project:						
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11
<b>VII. HAZARDS AND HAZARDOUS MATERIALS:</b>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19
<b>VIII. HYDROLOGY AND WATER QUALITY:</b>						
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,21
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,21
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or situation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,21

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation incorporated	Less Than Significant Impact	No Impact	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,21
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff as it relates to C3 regulations for development?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,21
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,21
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,20, 21
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,20, 21
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,20, 21
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19,20, 21
<b>IX. LAND USE AND PLANNING:</b>						
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18, 19

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18, 19
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18, 19
<b>X. MINERAL RESOURCES:</b>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,17 18,19
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,17 18,19
<b>XI. NOISE:</b>						
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,11 19
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,11 19
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,11 19
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,11 19

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,19
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,19
<b>XII. POPULATION AND HOUSING:</b>						
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18, 19
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18, 19
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13 17,18, 19
<b>XIII. PUBLIC SERVICES:</b>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:  Fire protection?  Police protection?  Schools?  Parks?  Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,18 19



WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
<b>XIV. RECREATION:</b>						
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
<b>XV. TRANSPORTATION/TRAFFIC:</b> Would the project:						
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,13,17 18,19

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
<b>XVI. UTILITIES AND SERVICE SYSTEMS:</b> Would the project:						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,18, 19,22
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,18, 19,22
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,18, 19,23
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,18, 19,21
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,18, 19,22
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,17,18 19

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:						
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,15,16,17,18,19
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13,17,18,19
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,11,13,17,18,19

**ENVIRONMENTAL IMPACT ASSESSMENT**  
**SOURCE KEY**

1. Environmental Information Form submitted by applicant
  2. Project plans
  3. Site Specific Geologic Report submitted by applicant
  4. Traffic Impact Analysis submitted by applicant
  5. Acoustical Report submitted by applicant
  6. Archaeological Reconnaissance Report submitted by applicant
  7. Other EIA or EIR (appropriate excerpts attached)
  8. Alquist-Priolo Special Studies Zones Maps
  9. BAAQMD Guidelines for Assessing Impacts of Projects and Plans
- 
10. Santa Clara Valley Water District
  11. Milpitas General Plan Map and Text
  12. Milpitas Midtown Specific Plan Map and Text
  13. Zoning Ordinance and Map
  14. Aerial Photos
  15. Register of Cultural Resources in Milpitas
  16. Inventory of Potential Cultural Resources in Milpitas
  17. Field Inspection
  18. Planner's Knowledge of Area
  19. Experience with other project of this size and nature
  20. Flood Insurance Rate Map, September 1998
  21. June 1994 Water Master Plan
  22. June 1994 Sewer Master Plan
  23. July 2001, Storm Master Plan
  24. Bikeway Master Plan
  25. Trails Master Plan
  26. Other \_\_\_\_\_

## ENVIRONMENTAL CHECKLIST RESPONSES AND ANALYSIS

The following discussion includes explanations of answers to the above questions regarding potential environmental impacts, as indicated on the preceding checklist. Each subsection is annotated with the number corresponding to the checklist form.

### EXISTING SETTING:

The project site is located on a 4.20 acre parcel at the southwest corner of McCarthy Boulevard and Sycamore Drive and developed with a light industrial building. Surrounding development directly north, northeast, east and southeast of the site is developed as industrial park with tenants such as LSI, Linear Technology and Xicor. Directly south of the project site is zoned light industrial and developed with vacant buildings. The site is bound on the westerly side by Coyote Creek Trail and the eastern portion of San Jose. There are no onsite agricultural, biological, cultural or mineral resources; geologic hazards, hazardous materials, watercourses, sensitive receptors, sensitive land uses or residential uses. While there is a City operated storm drain pump station adjacent to the northwest of the site, there are no facilities or utility systems on site. The project site is designated by the Milpitas General Plan as Highway Services (HS) and zoned Light Industrial (M1).

### PROJECT DESCRIPTION:

Installation of an approximately 60-foot tall artificial tree pole with six (6) telecommunication antennas mounted at the top. The artificial tree pole would be located in the rear of an existing parking lot adjacent to the Coyote Creek Trail and designed to resemble a pine tree. Associated ground mounted equipment would be located in an approximately 195 square foot portion of an existing trash/recycling enclosure.

Attachment to Cingular Wireless, EA2004-6, UP2004-8

### Discussion of Checklist/Legend

PS: Potentially Significant Impact  
 LS/M: Less Than Significant with Mitigation Incorporation  
 LS: Less Than Significant Impact  
 NI: No Impact

### I. AESTHETICS

#### Environmental Impacts

- a) Would the project have a substantial adverse effect on a scenic vista? NI  
 The proposed 60 foot tall artificial tree pole would be located adjacent to Coyote Creek Trail and be visible to pedestrians utilizing the trail for outdoor recreation. The Milpitas General Plan designates the Coyote Creek Trail as a Scenic Resource due to visually significant vegetation along the creek corridor, however the Trail is not designated as a scenic vista. Because the proposed telecommunication pole is designed to resemble a pine tree and located within an existing grove of trees, the artificial tree pole will blend in with the existing vegetation and not be visually obtrusive from

surrounding viewpoints. Therefore, the proposed project will not have an adverse impact on existing "visually significant" vegetation or a scenic vista.

- b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? NI  
See Ia above.
- c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings? NI  
See Ia above.
- d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? NI  
See Ia above.

## **XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

- 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? NI
- 2. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? NI
- 3. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? NI



# CITY OF MILPITAS

455 EAST CALAVERAS BOULEVARD, MILPITAS, CALIFORNIA 95035-5479 • www.ci.milpitas.ca.gov

## CINGULAR WIRELESS ARTIFICIAL TREE POLE TELECOMMUNICATION FACILITY

Use Permit No. UP2004-8 and "S" Zone Approval Amendment No. SA2004-28

### ENVIRONMENTAL IMPACT ASSESSMENT (EA2004-6) INITIAL STUDY

#### Project Description:

The applicant is requesting a use permit and site and architectural approval for six (6) telecommunication antennas housed on a proposed sixty (60) foot artificial tree pole designed as a pine tree. Associated equipment is proposed in an approximately 195 square foot lease area of an existing trash/recycling enclosure. The artificial tree pole and associated equipment is proposed on the southwestern portion of an existing parking lot adjacent to Coyote Creek.

#### Project Location

The project location is 1525 McCarthy Boulevard (APN: 086-03-079). The subject site encompasses 4.20 acres at the southwest corner of McCarthy Boulevard and Sycamore Drive, adjacent to the Coyote Creek Trail/corridor on the west. The site is developed with a vacant two-story industrial building, associated parking lot and landscaping and zoned Light Industrial (M1). Directly north, northeast, east and southeast of the site is zoned Industrial Park (MP) and includes tenants such as LSI, Linear Technology and Xicor. Directly south of the project site is zoned Light Industrial and developed with industrial buildings.

#### Responses Needing Clarification and Responses to Less Than Significant and Mitigated Impacts

*Listed below are responses to all answers which need clarification or were checked "less than significant" and "less than significant with mitigation" on the checklist (Part II of this Initial Study). Responses here are presented in the same order in which they appear on the checklist:*

#### Aesthetics

##### Response to question I.a:

*Would the project have a substantial adverse effect on a scenic vista?*

The proposed 60 foot tall artificial tree pole would be located adjacent to Coyote Creek Trail and be visible to pedestrians utilizing the trail for outdoor recreation. The Milpitas General Plan designates the Coyote Creek Trail as a Scenic Resource due to visually significant vegetation along the creek corridor, however the Trail is not designated as a scenic vista. Because the proposed telecommunication pole is designed as a pine tree and located within an existing

grove of trees, the artificial tree pole will blend in with the existing vegetation and not be visually obtrusive from surrounding viewpoints. Therefore, the proposed project will not have an adverse impact on existing "visually significant" vegetation or a scenic vista.





# CITY OF MILPITAS

E11796

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## NEGATIVE DECLARATION ENVIRONMENTAL IMPACT ASSESSMENT (EIA) NO. EA2004-6

A NOTICE, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED (PUBLIC RESOURCES CODE 21,000 ET SEQ.), THAT THE CINGULAR WIRELESS ARTIFICIAL TREE POLE, WHEN IMPLEMENTED, WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

**Project Title:** Cingular Wireless Tree Pole

**Project Description:** Installation of a 60 foot tall artificial pine tree pole with six (6) telecommunication antennas mounted on the treetop in the rear of an existing parking lot adjacent to the Coyote Creek. Associated ground mounted equipment would be located in an approximately 195 square foot portion of an existing trash/recycling enclosure.

**Project Location:** A 4.20 acre site located at 1525 McCarthy Boulevard, within the City of Milpitas, County of Santa Clara. Assessor's Parcel Numbers: 086-03-079.

**Project Proponent:** Leah Hernikl, Ruth and Going, Inc., 2216 The Alameda, Santa Clara, CA 95050.

The City of Milpitas Environmental Impact Committee has reviewed the Environmental Impact Assessment for the above project based on the information contained in the Environmental Information Form and the Initial Study. The Committee finds that the project will have no significant impact upon the environment, as recommended in the EIA.

Copies of the E.I.A. may be obtained at the Milpitas Planning Department, 455 E. Calaveras Boulevard, Milpitas, CA 95035.

By: *Rita Duran*  
Project Planner



## ENVIRONMENTAL INFORMATION FORM

E.I.F. No.: \_\_\_\_\_

File Date: \_\_\_\_\_

Planning Division

455 E. Calaveras Blvd., Milpitas, CA 95035

(408) 586-3279

*This form is to be completed by the applicant and submitted to the Planning Division with a \$50 filing fee.*

The California Environmental Quality Act of 1970, as amended, requires public agencies to evaluate public and private projects to determine their potential impact on the environment.

This form is intended to provide guidance for both you, the applicant, and City officials in assessing a proposed project to determine whether it may or may not have a significant impact on the environment.

If, based upon the information provided below, the City makes a determination that your project may have a significant impact on the environment, you will be required to prepare either additional information or an Environmental Impact Report as provided by State law and the City of Milpitas Environmental Impact Assessment requirements.

Detailed information regarding the environmental impact assessment procedure is also available.

### GENERAL INFORMATION

1. Name and address of developer or project sponsor: SINGULAR - WIRELESS  
4420 ROSEWOOD DR / FLEASANTON / CA 94588
2. Address of project: 1525 MC CARTHY BLVD  
Assessor's Parcel Number: 086-03-079
3. Name, address and telephone number of person to be contacted concerning this project:  
LEAH HERNIML / ROTH AND GOMES, INC / 2216 THE ALAMEDA  
SANTA CLARA, CA 95050 (408) 236-2400 x117
4. Full name and address of legal property owner: LIMAR REALTY CORP (CONTACT:  
AARON LEVINSON) 391 MILLER AVE #106 / MILL VALLEY, CA 94941
5. List and describe any other related permits and other public approvals required for this project, including those required by City, regional, state and federal agencies: FCC LICENSE

**RECEIVED**

6. Existing zoning district: \_\_\_\_\_

Present use of site: OFFICE

MAY 12 2004

**CITY OF MILPITAS  
PLANNING DIVISION**

7. Proposed use of site (Project for which this form is filed): CELLULAR PHONE  
ANTENNAS
8. Site size: 4.2 +/- ACRES
9. Square footage: 210 +/- SQ FT
10. Number of floors of construction: 60 FEET
11. Amount of off-street parking provided: N/A
12. Attach plans.
13. Proposed scheduling: END OF 2004
14. Associated projects: SITE IS PART OF REGIONAL COMMUNICATIONS NETWORK
15. Anticipated incremental development: NONE
16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents and type of household and household size expected: N/A
17. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities: NEIGHBORHOOD AREA PHONE SERVICE  
COVERAGE AND QUALITY
18. If industrial, indicate type, estimated employment per shift and loading facilities: N/A

19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities and community benefits to be derived from the project: N/A
20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required: All WIRELESS PHONE SITES REQUIRE  
A CUP

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- | YES      | NO       |  |
|----------|----------|--|
| _____    | <u>X</u> | 21. Change existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours. |
| <u>X</u> | _____    | 22. Change in scenic views or vistas from existing residential areas or public lands or roads.                               |
| _____    | <u>X</u> | 23. Change in pattern, scale or character of general area of project.  |
| _____    | <u>X</u> | 24. Significant amount of solid waste or litter.   |
| _____    | <u>X</u> | 25. Change in dust, ash, smoke, fumes or odors in vicinity.  |
| _____    | <u>X</u> | 26. Change in ocean, bay, lake, stream or ground water quality or quantity or alteration of existing drainage patterns.      |
| _____    | <u>X</u> | 27. Change in existing noise or vibration levels in the vicinity.  |
| _____    | <u>X</u> | 28. Site on filled land or on slope of 10 percent or more.   |
| _____    | <u>X</u> | 29. Use or disposal of potentially hazardous materials, such as toxic substance, flammables or explosives.                   |
| _____    | <u>X</u> | 30. Change in demand for municipal services (police, fire, water, sewage, etc.)  |
| _____    | <u>X</u> | 31. Increased fossil fuel consumption (electricity, oil, natural gas, etc.)  |
| <u>X</u> | _____    | 32. Relationship to a larger project or series of projects.  |

ENVIRONMENTAL SETTING

34. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be acceptable.
35. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be acceptable.

CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: 5/10/04

*Joseph A. Henshaw*  
(Signature)

For: CANDOLAZ WILKES

**ATTACHMENT TO  
ENVIRONMENTAL INFORMATION FORM**

**Cingular Wireless Site SF 933  
1525 McCarthy Boulevard**

- 22) The project will not affect a major view corridor or vista, but it will be visible from a hiking trail along Coyote Creek.
- 32) The project is part of Cingular's regional wireless phone network for cellular phone service.
- 34) The project site is currently developed with a two-story office building, approximately 25 years old, associated parking and landscaping. There are no known significant biotic, cultural, historic, or scenic aspects. There are no known significant environmental constraints other than the site being in the 100-year flood zone of Coyote Creek.
- 35) Surrounding properties are the same use, type, age and character of the subject site. A hiking trail along Coyote Creek is located along the southwestern property line.